Court Interpreter Commission Meeting
Minutes

Friday, November 6, 2009
11:00 – 2:00, AOC SeaTac Facility

Present: Justice Susan Owens (Chair), Leticia Camacho, Emma Garkavi, Frank Maiocco, Jr., Dirk Marler, Judge James Riehl, Judge Gregory Sypolt, Steven Muzik and Mike McElroy

Absent: Judge Judith Hightower, Theresa Smith

AOC Staff: Katrin Johnson, Tina Williamson

I. General Business

Minutes: The minutes of the July 31 Commission meeting were unanimously approved. They will be posted on the Interpreter Commission page of the AOC website.

Appointments: Orders were drafted to reappoint Frank Maiocco, Leticia Camacho and Steve Muzik, each to a new three-year term set to expire in September 2012.

Members discussed recruitment ideas to fill the one remaining vacancy (Public Member). Mike recommended someone from the Refugee agency and Justice Owens referenced a young attorney that applied when Leticia was appointed; efforts will be made to contact both of these candidates. In addition, Emma suggested finding a representative of the business community from such businesses as Microsoft, Starbucks, Boeing, etc.

II. Issues Committee Report

A. Interpreter Request for Extension of Completion of Continuing Education Requirement

Gloria Larson, Certified Court Interpreter, has been accepted to the Peace Corp to serve as a nurse for the next two and a half years. She has submitted a plan to the Issues Committee requesting a 6-month extension to complete her 20 court interpreting hours for the 2010/2011 compliance period. In addition, she plans to return within a year to attend the NAJIT conference to acquire her 16 continuing education credits. Gloria has been a certified interpreter since 1991 and has always met her compliance requirements on time. The Committee feels

she has submitted a reasonable plan and recommends the Commission approve her 6-month extension to complete her 20 court hours. The Commission unanimously approved the 6-month extension and appreciated the way Ms. Larson was proactive in assuring she could comply with her requirements as efficiently as possible.

B. Continuing Education Policy Language

Katrin proposed the following continuing education policy language changes to the Commission based on votes taken at the previous meeting:

1) Taking the same class more than once during a compliance period:

Class Hours. Every AOC approved class hour shall be counted as one hour of continuing education. Credit will not be given in quarter-hour segments; however, credit will be given in half-hour segments after the completion of one full hour of class. No credit will be given for attending only a portion of a participatory activity. Arriving late or leaving early will result in the interpreter not receiving any continuing education credit for the course. *As a general rule, credit may not be claimed for attending the same course more than once during a compliance period. Exceptions may be made, however, for classes that are discussion-based or hands-on skills development.*

2) Earning credits as trainers:

Credit for Teaching. Interpreters who serve as instructors in participatory activities may receive continuing education credit for preparation and instruction time, *regardless of whether they were paid for such services*. The interpreter is limited to credit for three planning hours for every hour of instruction. The interpreter must track and report on a compliance form the actual time spent. No continuing education credits earned pursuant to this section may be carried forward to the next two-year reporting period.

The Commission unanimously **approved** to adopt both policy language changes.

C. Languages & Certification

At the last Commission meeting, there was discussion about the possibility of expanding/changing the languages of the certified and registered categories. The Issues Committee was instructed to do further research, and bring recommendations to the Commission.

The Issues Committee met and put together the background information and recommendations found in **Attachment A**. The Commission discussed the subject matter of this document, as well as the committee's recommendations.

The Commission also thoroughly reviewed the interpreter data found in **Attachment B.**

1) *Issues Committee Motion: Transition Bosnian/Serbian/Croatian and French from the Registered Category to the Certified Category*

   Motion carried unanimously to move these languages to the certified category.

2) *Issues Committee Motion: Transition Punjabi and Hindi from the Registered Category to the Certified Category when the Oral Exams are Available for Administration.*

   Motion carried unanimously to move these languages to the certified category when the oral certification exams become available from the Consortium.

3) *Issues Committee Motion: Add Marshallese and Chuukese to the Certification Category.*

   Motion carried unanimously to add these languages to the certified category.

4) *Issues Committee Motion: Add Samoan and Ukrainian to the Registered Category, by allowing usage of the ALTA Speaking and Listening Assessment.*

   Based on the information found in Attachment A and B, and the information provided by Steve Muzik in Attachment C, and information presented by Steve during the meeting.

   Motion carried unanimously to add Samoan and Ukrainian to the registered category, and to utilize the ALTA speaking/comprehension exam.

III. Education Committee Report

A. Training for Court Staff (update)
The training for court staff that was scheduled for September 18 and October 15 was cancelled due to budget constraints for potential attendees. The Committee plans to try to offer this training again in March-June 2010.

A possible regional training for Associations (Superior Court, District and Muni.) is also in the works. Members were asked to share this proposal with their colleagues around the state to help get it off the ground.

B. Judicial Training Proposals for 2010

- The Education Committee submitted a proposal for the Superior Court Judges' Association Spring Conference. This proposal was denied, most

likely due to the fact they were only having one conference this year, this will be looked at again for 2011.

- A proposal was also submitted for the District and Municipal Court Judges' Association Spring Conference, a decision is still pending.

- Two trainings for Pro Tem Judges, one-hour sessions on working with interpreters, will be offered the end of February in Western WA and the end of March in Eastern WA.

- The upcoming Judicial College (January 2010) will feature a 45-minute presentation on working with interpreters.

IV. Sign Language Interpreting Standards Workgroup

Workgroup members provided a summary of the proposed standards for ASL court interpreters, along with a list of suggested trainings that will be presented to the ODHH Director and recommended for adoption. The necessary trainings would be delivered by the end of 2010. Administrative work and monies will be provided by ODHH, and AOC staff will assist as needed.

ODHH is having a symposium that will include a 90-minute presentation on the recommendations of the workgroup. If you are interested in more information, please let Katrin know.

V. Legal Issues

A. Correction to Citation on Bench Card

On the first page of the Bench Card under <u>Foreign Language,</u> the RCW quoted applies to certified interpreters only, instead of including both registered and certified. Although members acknowledged the error, they decided it was not worth recalling the bench card and that the edit would be reflected in future publications.

B. Interpreter Oath - Permanently Swearing-in Interpreters

At the previous meeting, the Commission endorsed a statutory change that allows for permanent oaths of certified interpreters. The BJA has voted to support this statutory change, but has requested clarification from the Commission on whether to include registered interpreters as well. Commission members agreed that registered interpreters should be included, and that the registered category should not be treated differently for this purpose.

A motion was made to **amend** the original recommendation to include registered interpreters. The motion **passed** unanimously.

VI. Court Interpreter Program Update

A. Oral Exam Testing

One Vietnamese, one Cantonese, and two Russian interpreters successfully passed the oral exam. Results are still pending in the other languages.

B. New Certified/Registered Interpreters

On September 11, 2009, a new group of court interpreters (11 registered and 1 certified) completed a mandatory daylong training on Court Interpreter Ethics and Protocol. In addition, the training was expanded to include interpreters of lesser-used languages, providing them an educational opportunity.

C. Recent Trainings

Katrin provided presentations on working with court interpreters at the Courthouse Facilitator's Program in October, and the annual INCE (Institute for New Court Employees) in November.

VII. Other Business

A. King County Municipal Courts' Payment Policy

Ten municipal courts in King County receive state funding for interpreter services, and these courts have joined efforts in working on LAP issues. In those efforts, a joint payment policy was adopted that included paying interpreters a 2-hour minimum. Six other courts have joined this effort. These courts have also coordinated staggered interpreter calendars so not to compete for interpreters. Pierce County municipal courts are reviewing the work done in King County.

Recently the King County group looked at ways to deal with budget reductions, and invited recommendations from interpreters. Based on interpreters' suggestions, the courts no longer pay mileage. Interpreters recommended this change because it is a cost they may claim on their taxes. This reduction will create a 10% cost savings to those courts.

B. WASCLA Summit

In October, the annual 2-day WASCLA Summit, held in Spokane, was attended by 113 people, with 20 different languages represented. Western Washington represented about 70% of the attendees. Commission members Katrin, Emma and Judge Sypolt all participated in presenting at the program.

The program initiated a lot of attendee participation and evaluations provided positive reviews.

C. WASCLA Directory
The development of a centralized statewide interpreter directory is currently in the works that would allow people to find the best interpreter for their specific need. Some of the items offered in the directory are information on the difference between an interpreter and translator and the variations of interpreter credentials. The directory will also offer an educational component.

D. Meeting Dates

Katrin will be utilizing a new electronic tool that will assist her in checking the availability of members' schedules for future meeting dates.

Attachment A

**Interpreter Commission
Issues Committee**

At the upcoming Interpreter Commission meeting, the Issues Committee will present several recommendations for modifying the languages tested by the WA Court Interpreter Program. This document serves to provide information for that discussion.

I.   BACKGROUND INFORMATION

A. Program Requirements:

Below are the requirements for interpreters seeking to become Washington Court Certified and Washington Court Registered:

Certified

1. Pass written exam, multiple choice portion (all English), at 80% <u>and</u> pass written translation.
2. Attend one-day orientation on interpreting skills and legal terminology.
3. Pass Consortium oral interpretation exam with score of 70% on each section (simultaneous, consecutive and sight translation).
4. Pass criminal background check.
5. Attend one-day class on ethics and courtroom protocol, administer oath, and receive badge.

Registered

1. Pass written exam, multiple choice portion (all English), at 80%.
2. Attend one-day orientation on interpreting skills and legal terminology.
3. Pass Oral Proficiency Interview (OPI) administered by the company Language Testing International, with a score of Superior. (Tests foreign language speaking skills, not interpreting skills.)
4. Pass criminal background check.
5. Attend one-day class on ethics and courtroom protocol, administer oath, and receive badge.

B. Consortium Oral Exams - Certified Category

The oral interpreting exams for the Certified Category are developed by the Consortium for Language Access in the Courts. Below is a list of the language exams available from each entity:

Currently Used in WA
- Arabic
- Cantonese
- Korean
- Laotian
- Mandarin
- Russian
- Somali
- Spanish
- Vietnamese

Not Used in WA
- Bosnian/Croatian/ Serbian (abbreviated exam)
- French
- Chuukese (abbreviated exam)
- Marshallese (abbreviated exam)
- Haitian Creole
- Hmong
- Ilocano
- Polish
- Portuguese
- Turkish (abbreviated exam)

In Development
- Hindi (abbr. exam)
- Punjabi (abbr. exam)

There are two models for the Consortium oral exams: the full exam, and the abbreviated exam. The **full exam** consists of two sight translation components (English to foreign language and foreign language to English), consecutive, and simultaneous. The **abbreviated exams** consists of only the simultaneous portion. Candidates must also pass a test demonstrating conversational proficiency in English.

Abbreviated exams are developed in languages for which needs are lower, and the cost of production and maintenance is more manageable. The simultaneous portion was chosen because statistically speaking, this is the portion that is most challenging to pass. Data has demonstrated that candidates who pass simultaneous typically also have the skills and abilities to pass consecutive and sight translation. The reverse, however, is not true.

C. **Oral Proficiency Interviews (OPI) - Registered Category**

When the Registered category was developed in Washington, the Interpreter Commission selected the OPI exam which is administered by Language Testing International (LTI). The Registered category was extended to all languages (other than certifiable languages) tested by LTI. The languages currently available for testing are:

Albanian	Hausa	Portuguese
Amharic	Hebrew	Punjabi
Armenian	Hindi	Romanian
Bengali	Hmong	Slovak
Bosnian/Serbian/Croatian	Indonesian	Swahili
Bulgarian	Italian	Swedish
Cebuano	Japanese	Tagalog
Chavacano	Javanese	Thai
Czech	Malay	Turkish
Dari	Modern Greek	Urdu
Dutch	Pashto	Yoruba
French	Persian Farsi	
German	Polish	
Haitian Creole		

II. Considerations in Expanding the Languages to the Certified Category

Adding languages to the Certified category creates several issues beyond simply administering exams. Things to keep in mind include the following:
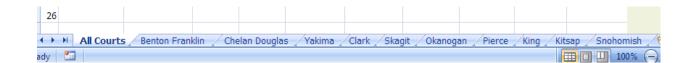
- **Increased Continuing Education:** Certified interpreters are required to earn sixteen credits in a two-year cycle, whereas Registered interpreters are required to earn ten. Most interpreters are freelancers. They must pay for their own training, and forfeit job opportunities to attend classes.

- **Mandatory Court Interpreting Hours:** Certified interpreters are required to report twenty court interpreting hours in every two year cycle. Registered interpreters are not required to report court hours.

- **Exam Difficulty and Attrition:** Passing the exams for Register status is less difficult than passing the exams for Certified status. If certain languages are transitioned from Registered to Certified, it is unrealistic to assume that all or even most interpreters will succeed in becoming certified. National passing rates of the oral certification exam are approximately 25%. (This presumes that the AOC would not include interpreters in *both* the Certified and Registered categories.)

- **Lack of Language Specific Training:** The AOC has begun to re-introduce language-specific skills building training to help candidates prepare for the oral certification exam. Locally and nationally, there are very few interpreters qualified to train in languages other than Spanish. Similarly, very limited training materials exist, particularly for the lesser used languages. Therefore, the AOC can offer tests in more languages, but can't provide language-specific resources to help individuals pass all tests.

III. Data Provided in Accompanying Excel Spreadsheet

The AOC now receives detailed data about interpreter language services from the courts that participate in the state reimbursement program. The Excel spreadsheet that was sent along with this Word document lists, in order of frequency, the languages interpreted in this courts over the past year.

Reading this Document:

When you open this document, you will notice there are eleven tabs at the bottom of the screen:

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◄ ► ►| **All Courts** / Benton Franklin / Chelan Douglas / Yakima / Clark / Skagit / Okanogan / Pierce / King / Kitsap / Snohomish ◄

ady   ▣| ▦▢▥ 100% ⊖

You can view languages in the order of frequency for all courts on the first tab, or view them by county or county group. The information under the first tab extends very far both horizontally and vertically. The other tabs, however, may be more easy to review.

The names of languages that are highlighted in pink are included in the AOC Certified Interpreter process. The names of languages that are highlighted in green are included in the AOC Registered Interpreter process. The languages with no color highlighting simply aren't credentialed by the AOC.

The names of languages that are **bolded** are languages for which Consortium oral certification exams exist or are in development, but these languages are not included in the AOC Certified Interpreter process.

IV.   Issues Committee Findings and Recommendations

A. Transition Bosnian/Serbian/Croatian and French from the Registered Category to the Certified Category

Note: Bosnian, Serbian and Croatian appear as separate languages in the excel spreadsheet. Linguistically speaking, they are the same language. The names are references to geographical and ethnic differences. Typically speakers of this language specify one over the other.   AOC materials list them out as separate languages because court staff aren't expected to be aware of these nuances.

Bosnian/Serbian/Croatian (Bosnian) and French are languages used in general frequency throughout the state. In fact, in many courts they are used with greater frequency than the languages which are currently certified by the AOC. Given their frequency in usage, and the fact that oral certification exams are currently available for administration, it is recommended that they be transitioned from the Registered category to the Certified category.

B. Transition Punjabi and Hindi from the Registered Category to the Certified Category when the Oral Exams are Available for Administration

Like Bosnian and French, Punjabi and Hindi are used with general frequency throughout the state. And in many cases, are used with greater frequency than the languages currently certified by the AOC. However, these oral exams are currently in development by the Consortium, and will not likely be available for use until 2011.

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Therefore, the Issues Committee recommends that if these languages continue to be used with similar or greater frequency, that they be transitioned to from the Registered category to the Certified category once the oral certification exams become available.

C. Add Marshallese and Chuukese to the Certification Category

Marshallese and Chuukese are languages used with general frequency in the state. This data does not include Spokane, which is experiencing a great influx of Marshallese immigrants. And curiously enough, Marshallese and Chuukese cannot be a Registered language because no OPI is available for these exams. (Nor is an ALTA exam available – see point D below.)

However, the Consortium has recently developed and began administering Chuukese and Marshallese oral certification exams. These exams are available and ready to be administered at any time.

Because of the availability of these oral certifications, the inability to add these languages to the Registered category, and their frequency of usage in the courts, the Issues Committee recommends that they be added to the Certified category.

D. Add Samoan and Ukranian to the Registered Category, by Allowing Usage of the ALTA Speaking and Listening Assessment.

Samoan and Ukranian are languages used with frequency in Washington courts. Yet under the current testing schemes, they are not eligible for the Certified or Registered categories. No certification exams exist, and Language Testing International does not offer an OPI in these languages (see bottom of page two).

In 2007, Language Testing International had identified Samoan as one of the languages for which it has an OPI. And for that reason, the AOC listed it as a Registered language. In early 2007 an interpreter began the process of becoming Registered and passed the written exam. However, when she made arrangements for her OPI exam, Language Testing International had stopped administering it.

In early 2008, the Interpreter Commission considered this interpreter's situation. A Samoan Speaking and Listening Assessment was available from the company ALTA Languages. The Commission approved usage of the ALTA exam for this one candidate, but did not approve further usage of the ALTA exam until further research was completed. She is currently Registered.

The Issues Committee proposes that Ukranian and Samoan be added to the list of languages in the Registered category, and that until Language Testing International has an OPI in these languages, that ALTA be a "fall-back" exam. Appendix A (Attachment C) has a summary of Steven Muzik's findings and recommendations on the ALTA exam.

Attachment B

Language Usage in Order of Frequency

The below data was obtained by courts participating in the state reimbursement program. It reflects interpreted matters during the past year.

Benton/Franklin County Courts

Benton Dist	Benton Juvenile	Benton Superior	Franklin Dist	Franklin Superior	Pasco
Spanish	Spanish	Spanish	Spanish	Spanish	Spanish
Russian		ASL		Vietnamese	
		Ukranian		Russian	
		Tagalog			
		Vietnamese			
		Arabic			
		Bosnian			
		Laotian			
		Russian			
		Somali			

Chelan/Douglas County Courts

Chelan Superior	Douglas Dist	Douglas Superior	East Wenatchee Muni
Spanish	Spanish	Spanish	Spanish
ASL			

Yakima County Courts

Yakima Dist	Yakima Juvenile	Yakima Superior
Spanish	Spanish	Spanish
ASL	ASL	ASL
Cantonese		**Punjabi**
Soninke		Laotian
Farsi		Korean
Dinka		Russian
Korean		Somali
Somali		Soninke
Tagalog		

Clark County Courts

#	Battle Ground Muni	Camas Muni	City of Vancouver	Clark Dist	Clark Juvenile	Clark Superior	Connell Muni	Washougal Muni
1	Spanish	Spanish	Spanish	Spanish	Russian	Spanish	Spanish	Spanish
2		Russian	Russian	Russian	Spanish	Russian		**Chuukese**
3		Cantonese	ASL	ASL	Vietnamese	Vietnamese		
4		Korean	Quiche	Vietnamese	ASL	ASL		
5		Romanian	Vietnamese	**Bosnian**	**Punjabi**	Romanian		
6			**Bosnian**	Laotian	Romanian	Tagalog		
7			**Chuukese**	**Chuukese**	Cantonese	**Bosnian**		
8			**Haitian Creole**	Korean	**Chuukese**	Cantonese		
9			Romanian	**Hindi**	**Bosnian**	Khmer		
10			Laotian	Tagalog	Khmer	Mandarin		
11			Cantonese	Cantonese		**Chuukese**		
12			Mandarin	Romanian		**Hindi**		
13			Samoan	Arabic		Tongan		
14			**Hindi**	**Croatian**		Amharic		
15			Arabic	Tongan		Arabic		
16			Triqui	Mandarin		Korean		
17			Khmer	**Punjabi**		Laotian		
18			Hebrew	Thai				
19			**Portuguese**	Urdu				
20			Tagalog	Chuuk				
21			Tongan	**Haitian Creole**				
22			**French**	Albanian				
23			Mixteco	Armenian				
24				Farsi				
25				Kanjobal				
26				Persian Farsi				
27				**Portuguese**				
28				Khmer				

Skagit County Courts

Burlington Muni	Mt. Vernon Muni	Poulsbo Muni	Skagit Dist	Skagit Superior
Spanish	Spanish	Spanish	Spanish	Spanish
Mixteco	Korean	Vietnamese	Mixteco	Mixteco

Cantonese	ASL
Korean	Cantonese
Punjabi	Mandarin
	Japanese
	Russian

Mandarin	Russian
Punjabi	Ukranian
Russian	Korean
Korean	Vietnamese
Marshallese	
Hindi	
Vietnamese	
ASL	

Okanogan County Courts

Okanogan Superior	Okanogan Dist
Spanish	Spanish
	Oromo

Pierce County Courts

	Pierce Dist	Pierce Superior
1	Spanish	Spanish
2	Russian	ASL
3	Korean	Khmer
4	Vietnamese	Russian
5	ASL	Vietnamese
6	Samoan	Samoan
7	Khmer	Korean
8	**Marshallese**	Tagalog
9	Moldavian	Somali
10	Laotian	Swahili
11	Pohnpeian	**Polish**
12	Romanian	**Punjabi**
13	Arabic	Ukrainian
14	**Punjabi**	Arabic
15	Ukranian	Dinka
16	Tagalog	Laotian
17	**French**	Chamorro
18	Mandarin	Mandarin
19	Cantonese	Moldavian
20	Somali	Cantonese
21	**Turkish**	Czech
22	Chamorro	**French**
23	Mam	**Ilokano**

#		
24	Mongolian	**Marshallese**
25	Amharic	Pohnpeian
26	Dari	Romanian
27	Farsi	Thai
28	**Polish**	Tongan
29	Thai	

King County Municipal Courts (part 1)

#	Auburn Muni	Des Moines Muni	Federal Way Muni	Kent Muni	Pacific Muni
1	Spanish	Spanish	Spanish	Spanish	Spanish
2	Russian	Russian	Russian	Russian	Russian
3	**Marshallese**	Samoan	Korean	**Punjabi**	Laotian
4	Vietnamese	Vietnamese	Samoan	Vietnamese	Tagalog
5	Khmer	Korean	**Punjabi**	Somali	Samoan
6	Samoan	**French**	Vietnamese	Samoan	Korean
7	Ukranian	**Punjabi**	Mongolian	ASL	**Punjabi**
8	Korean	Mongolian	Tagalog	Tagalog	Ukranian
9	Arabic	Amharic	ASL	Khmer	Mandarin
10	Cantonese	Tagalog	Mandarin	Korean	**Hindi**
11	**Punjabi**	Thai	**Marshallese**	Tongan	**French**
12	ASL	Somali	Khmer	Cantonese	Somali
13	**Chuukese**	ASL	Swahili	Amharic	
14	Somali	Arabic	Laotian	Burmese	
15	Laotian	**Marshallese**	Tongan	Mandarin	
16	Tagalog	Mandarin	Arabic	Kosraean	
17	**French**	**Hindi**	Somali	Arabic	
18	Thai	Romanian	**Chuukese**	**Chuukese**	
19	Mandarin	**Bosnian**	Romanian	**Marshallese**	
20	Farsi	Italian	Shanghainese	Farsi	
21	Indonesian	Khmer	**Hindi**	**French**	
22	Tigrinya	Kosraean	Japanese	**Polish**	
23		**Turkish**	Kosraean	Swahili	
24		Visayan	**Portuguese**	Dinka	
25			Cham	Kurdish	
26			Czech	Laotian	
27			Farsi	Romanian	
28			**French**	Tigrinya	
29			**Polish**	**Polish**	

30		Thai	Thai

King County Municipal Courts (part 2)

	Renton Muni	SeaTac Muni	Seattle Muni	Tukwila Muni
1	Spanish	Spanish	Spanish	Spanish
2	Russian	Somali	Vietnamese	Somali
3	Vietnamese	Samoan	Somali	Vietnamese
4	Cham	Russian	Amharic	Russian
5	Cantonese	Amharic	ASL	**Punjabi**
6	Korean	**Punjabi**	Cantonese	Korean
7	Somali	Arabic	Tagalog	Amharic
8	Arabic	Tagalog	Khmer	**Bosnian**
9	Samoan	Tongan	Tigrinya	Tigrinya
10	**Punjabi**	Vietnamese	Mandarin	Samoan
11	Mandarin	Khmer	Oromo	Arabic
12	**Polish**	Tigrinya	Arabic	Tagalog
13	Laotian	**Turkish**	Korean	ASL
14	Ukrainian	**French**	Laotian	Oromo
15	Czech	**Bosnian**	**French**	Cantonese
16	Khmer	Romanian	Japanese	Dinka
17	Tongan	Palau	**Punjabi**	German
18	Romanian	Mandarin	Bulgarian	**Ilokano**
19	**Portuguese**	**Croatian**	Mongolian	Khmer
20	Tagalog	Farsi	Samoan	Thai
21	Amharic	Thai	Soninke	Bengali
22	Mongolian	Cantonese	**Bosnian**	Burmese
23	**Serbian**	Oromo	Dinka	Mandarin
24	**Turkish**	Ukranian	**Haitian Creole**	Farsi
25	Bulgarian		Russian	**French**
26	Farsi		Tongan	Krio
27	**French**		Swahili	Kurdish
28	Kurdish		Farsi	Laotian
29	Burmese		Kosraean	**Serbian**
30	Chamorro		Mien	Tongan
31	Hebrew		**Turkish**	Ukranian
32	Japanese		**Croatian**	
33	Moldavian		Thai	
34	Thai		**Portuguese**	

35	**Hindi**
36	**Chuukese**
37	Czech
38	**Ilokano**
39	Jamaican Creole English
40	Italian
41	Afrikaans
42	Malay
43	Romanian
44	Bengali
45	Chuquis (Quechuan)
46	Greek
47	Gujarati
48	**Hmong**
49	Icelandic
50	Indonesian
51	Mandingo
52	Nepali
53	Nuer
54	**Polish**
55	Urdu
56	Akan
57	Hebrew
58	Pashto
59	Quiche

Kitsap County Courts

Bremerton Muni	Kitsap Dist	Kitsap Superior	Port Orchard Muni
Spanish	Spanish	Spanish	Spanish
Korean	Tagalog	Mam	ASL
Tagalog	ASL	Tagalog	Mandarin
Mam	Vietnamese	Vietnamese	
Samoan	Japanese	Chamorro	
ASL	Korean	Kurdish	
Quiche	Russian	Korean	
Vietnamese	Cantonese	ASL	
Punjabi	**Chuukese**	Thai	
	Punjabi	Mandarin	

Ukranian	Burmese
Mandarin	Japanese
Thai	Russian

Snohomish County Courts

	Edmonds Muni	Everett Muni	Lynwood Muni	Snohomish Dist	Snohomish Superior
1	Spanish	Spanish	Spanish	Spanish	Spanish
2	Korean	Russian	Korean	Russian	ASL
3	Vietnamese	Vietnamese	Russian	Korean	Russian
4	Russian	Romanian	Vietnamese	Vietnamese	Nepali
5	ASL	Indonesian	Farsi	Arabic	Vietnamese
6	Amharic	ASL	Mandarin	Romanian	Somali
7	Mandarin	Khmer	ASL	ASL	Korean
8	Laotian	**Marshallese**	Arabic	Mandarin	**Bosnian**
9	Somali	Laotian	Amharic	Laotian	Mandarin
10	Cantonese	Farsi	**Bosnian**	**Punjabi**	Indonesian
11	Japanese	Korean	**French**	Cantonese	Tagalog
12	Tigrinya	Arabic	Somali	**Marshallese**	Romanian
13		**French**	Swahili	Farsi	**Punjabi**
14		Bulgarian	Bulgarian	Khmer	Arabic
15		Cantonese	Cantonese	Tagalog	**Hindi**
16		Mandarin	Japanese	**Bosnian**	Khmer
17		**Chuukese**	Mongolian	Tigrinya	Laotian
18		**Haitian Creole**	**Punjabi**	Amharic	**Polish**
19		Nuer	Tagalog	**Hindi**	**Hmong**
20		**Portuguese**	Thai	Indonesian	Japanese
21		**Punjabi**	Bengali	Japanese	**Croatian**
22		Ukranian	Chuquis (Quechuan)	Armenian	Farsi
23			**Chuukese**	Bulgarian	Greek
24			**Hindi**	**French**	**Marshallese**
25			Indonesian	**Hmong**	Thai
26			Khmer	Italian	Tongan
27			**Portuguese**	Mixteco	
28			Tigrinya	Mongolian	
29			**Turkish**	**Polish**	
30			Urdu	**Portuguese**	
31				**Serbian**	
32				Somali	
33				**Turkish**	

Attachment C

SELECTION OF ALTA AS AN ALTERNATIVE TEST FOR REGISTERED COURT
INTERPRETERS IN THE STATE OF WASHINGTON

Report to the Washington Supreme Court Interpreter Commission
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November 6, 2009

Currently the Washington State Administrative Office of the Courts (AOC) uses Language Testing International's Oral Proficiency Interview (OPI) in the process of registering our court interpreters. However, the OPI does not test in every language of interest to our state. An alternative set of oral tests may be available from ALTA Language Services, Inc. This paper is a report to the Commission on whether the ALTA tests are sufficiently reliable and valid for use by the AOC when the OPI is not available.
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<u>Reliability</u>

Reliability refers to the capacity of a measure to give the same score repeatedly, for good or ill. I have reviewed the ALTA material provided in the report "Development, Application and Reliability of the Spoken Language Evaluation [TM]" (see Katrin Johnson for a full text). I note the lack of direct inter-rater reliability for ALTA which is obtained by OPI with the use of two simultaneous raters. ALTA successfully replaces this measure by sampling test results with a re-test of a random number of subjects. In a perfect world the graph of test and re-test scores (or the comparison of one rater with another) would be an absolutely straight single line trending up and to the right at 45 degrees (a slope of 1 and a perfect correlation). In reality, the graphs of results are a scatter gram of dots, showing that retest scores are not always the same. But you get a sense that in general they are similar. That similarity is measured by Pearson's "r" Coefficient (in this case .86, .86, and .77 respectively)*. Pearson's "r" is a measure of the strength of linear dependence between two variables. To assess the variability, one squares "r". Thus for example, .86 squared = .74, which means about 74% "reliable". This is statistically acceptable for non-objective measures like this, where often an "r" of .70 is considered sufficient (i.e., 49% of the variation can be explained). This is some protection against the lack of two simultaneous raters, since even simultaneous raters can yield differing scores on the same testee, probably to about the same degree. No OPI Pearson's "r" coefficients were provided for a comparison, but I suspect that <u>if</u> the OPI's are better, they are not much better (it is hard to get above .85 r in any testing of human subjects).

<u>Validity</u>

Validity refers to whether the test measures what it is supposed to measure. The question of criterion validity in the ALTA report is dealt with in sections 3.2, and

5.0, showing that people already doing a particular job well pass the test and those who aren't, fail it. ALTA tries to subsume their base validity in the reliability measures (Section 4.0). That is not good practice; validity is <u>not</u> a part of reliability (it can be reliably measured that Americans executed for murder ate potatoes before committing their crimes. The correlation, and therefore the reliability, is extremely high. But potato consumption is not a valid predictor of homicides). While not explicitly stated by ALTA, it is likely that the close mapping between the ALTA, the Interagency Language Roundtable (ILR), and the American Council for Teaching Foreign Languages (ACTFL) scales means that the ALTA scores are no less valid than the other two. What I would call face validity. The government ILR scale has long been accepted as a valid measure of language proficiency. It has been used as the State Department Foreign Service language proficiency testing mechanism for decades. Similarly, the ACTFL scale has been much used in academic settings to assess the language skills of foreign applicants to US graduate schools.

<u>Conclusion</u>

Reliability and validity are the two main technical characteristics commonly used to compare different testing instruments. Both OPI and ALTA use a similar scoring scale. Both have created a pool of items from which tests are randomly drawn within major categories such as comprehension, vocabulary, etc. Both have field tested their instruments. Both are professionally constructed. The Pearson "r" Coefficients reported for ALTA are at or above the commonly accepted threshold for research on human subjects. In addition, the ALTA appears to be comparable to ILR and ACTFL.

From a technical point of view, ALTA meets the necessary reliability and validity criteria for use by the AOC in at least the registered category for Washington court interpreters when the OPI is not available.

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* Pearson's correlation coefficient is the covariance of two variables divided by the product of their standard deviations:

$$r = \frac{\sum (X_i - X)(Y_i - Y)}{\sqrt{\sum(X_i - X)2}\sqrt{\sum(Y_i - Y)2}}$$

where X_i is the standard score, X is the sample mean of the first set of scores, and the Y values are for the second set of scores.